

Chapter 9.54**TARGETED RESIDENTIAL PICKETING PROHIBITED****Sections:**

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Section 9.54.010 Legislative purpose.

The purpose of this Chapter is to reasonably regulate the time, place and manner of picketing activity targeted at a particular residential dwelling. The regulations are content neutral and are intended to protect against the devastating affect of targeted picketing on the quiet enjoyment of the home. These regulations are not intended to and do not restrict the rights of free speech or alternative channels of communication. The ordinance leaves ample room for dissemination of ideas in a general way through marches, demonstrations, and placards employed in residential neighborhoods and other places, provided individuals are not targeted within 300 feet of their home. In developing this ordinance, the City Council has been mindful of legal principles relating to the regulations of targeted residential picketing. The City Council has considered decisions of the United States Supreme Court, including but not limited to: Frisby vs Schultz (1988) 487 U.S. 474, and Village of Belle Terre vs Boraas (1974) 416 U.S. 1, 9; several California cases, including but not limited to: City of San Jose vs Superior Court (1995) 32 Cal.App.4th 330; Sundance Saloon, Inc. vs City of San Diego (1989) 213 Cal.App.3d 807; and, Concerned Citizens of Murphys vs Jackson (1977) 72 Cal.App.3d 1021. The recent California Appellate Court decision in the City of San Jose vs Superior Court, referenced above, supports the language of this Chapter on its face and in its application as a content neutral time, place and manner restriction. Consistent with the City of San Jose decision, the City Council has reasonably chosen this 300 foot buffer zone to provide a minimum degree of protection to the residents of targeted homes. The minimum standard lot frontage for single family residences in the City is 60 feet pursuant to Municipal Code Section 19.10.050(5). Many lots have larger frontages. At most, therefore, the 300 foot buffer zone keeps pickets from within five homes on either side of the targeted residence. (Ord. 6337 § 1, 1996)

Section 9.54.020 Definitions.

For the purposes of this Chapter, the following meanings shall apply:

- A. The term, "residential dwelling" means any permanent building being used by its occupants solely for non-transient residential uses.
- B. The term "targeted" picketing means picketing activity that is targeted at a particular residential dwelling and proceeds on a definite course or route in front of or around that particular residential dwelling. (Ord. 6337 § 1, 1996)

Section 9.54.030 Prohibition on targeted residential picketing.

- A. No person shall engage in picketing activity that is targeted at and is within three hundred feet of a residential dwelling.
- B. This chapter does not and shall not be interpreted to preclude picketing in a residential area that is not targeted at a particular residential dwelling. (Ord. 6337 § 1, 1996)

Section 9.54.040 Penalty.

Any person violating the provisions of this Chapter shall be guilty of a misdemeanor, punishable as set forth in Riverside Municipal Code Section 1.01.110 thereof. (Ord. 6337 § 1, 1996)

Section 9.54.050 Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Riverside hereby declares it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portion may be declared invalid or unconstitutional. (Ord. 6337 § 1, 1996)